

Order

Michigan Supreme Court
Lansing, Michigan

April 4, 2007

Clifford W. Taylor,
Chief Justice

132250

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 132250
COA: 268628
Wayne CC: 98-005154

ROY BLACKMON,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the September 15, 2006 order of the Court of Appeals is considered and, pursuant to MCR 7.302(G)(1), in lieu of granting leave to appeal, we REMAND this case to the Court of Appeals for consideration as on leave granted. The Court of Appeals shall include among the issues to be considered: (1) whether the Court of Appeals, on direct appeal, erred in failing to apply the “harmless beyond a reasonable doubt” standard that is applied to preserved federal constitutional error, *Chapman v California*, 386 US 18; 87 S Ct 824; 17 L Ed 2d 705 (1967); (2) if so, whether the errors committed at trial were harmless beyond a reasonable doubt; and (3) whether the defendant is entitled to postappeal relief under MCR 6.508(D)(3).

We do not retain jurisdiction.



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

April 4, 2007

Corbin R. Davis

Clerk